

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Applicant requests that the Reply submitted on July 12, 2006 NOT be entered into the record.

As a result, claims 1-35 remain pending. The amendments to the claims in this Reply reflect amendments to the claims as they stood after the Reply of February 10, 2006 was submitted. Claims 36-50 are added to this Reply. Therefore, claims 1-50 are pending. Claims 1, 15, 27, 36 and 43 are independent.

§ 102 REJECTION – COOK

Claims 15-19 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Cook et al. (U.S. Patent No. 6,786,655). Applicant respectfully traverses.

In the Office Action, the Examiner alleges that a password is equivalent to the image identification code as recited in independent claim 15. During the interview conducted with Applicant's representative on May 24, 2006, it was demonstrated that the password as disclosed in Cook et al. cannot be equivalent to the image identification code as recited since the password is insufficient to determine the particular image to be retrieved. The password is

merely a mechanism to grant the user access to the system. In response, the Examiner interpreted the password to be “a part” of the image identification.

This is an unreasonably broad interpretation since the password is merely associated with the user and is not associated with any particular image. Nevertheless, claim 15 is amended to recite “wherein the image identification code is sufficient to uniquely identify the processed image data” to clarify the claim. It is clear that Cook et al. cannot teach or suggest this feature of claim 15. For at least this reason, independent claim 15 is distinguishable over Cook et al.

Claims 16-19 depend from independent claim 15 directly or indirectly. Then for at least due to the dependency thereon, these dependent claims are also distinguishable over Cook et al.

Applicant respectfully requests that the rejection of claims 15-19 based on Cook et al. be withdrawn.

§ 103 REJECTION – COOK, PATTON

Claims 1-8, 11-14 and 22-25 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cook et al. in view of Patton et al. (U.S. Patent No. 6,433,888). Applicant respectfully traverses.

Regarding claims 22-25, these claims depend from independent claim 15 directly or indirectly, and it is demonstrated above that claim 15 is

distinguishable over Cook et al. Patton et al. is not relied upon to correct for at least the above-noted deficiencies of Cook et al. Therefore, claim 15 is also distinguishable over the combination of Cook et al. and Patton et al. Then for at least due to the dependency thereon, claims 22-25 are also distinguishable over the combination of Cook et al. and Patton et al.

Independent claim 1 recites, in part “wherein the image retrieval data is not based on any image processing condition embedded as a code in the image designated for reorder.” As discussed during the interview, the combination of Cook et al. and Patton et al. cannot teach or suggest this feature. For at least this reason, independent claim 1 is distinguishable over the combination of Cook et al. and Patton et al.

Independent claim 27 recites, in part “wherein the image retrieval data is not based on any image processing condition embedded as a code in the image newly read from the photographic film.” Again as discussed during the interview, Cook et al. and Patton et al. cannot teach or suggest this feature. For at least this reason, independent claim 27 is distinguishable over the combination of Cook et al. and Patton et al.

Claims 2-8, 11-14 and 28-35 depend from independent claims 1 and 27 directly or indirectly. Then for at least due to the dependency thereon, these dependent claims are also distinguishable over the combination of Cook et al. and Patton et al.

For at least the above stated reasons, Applicant respectfully requests that the rejection of claims 1-8, 11-14 and 22-35 based on Cook et al. and Patton et al. be withdrawn.

§ 103 REJECTION – COOK, PATTON, CHACKER

Claims 9-10 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cook et al. in view of Patton et al., and in further view of Chacker (U.S. Patent No. 6,578,008). Applicant respectfully traverses.

Claims 9 and 10 depend from independent claim 1 and it is demonstrated above that claim 1 is distinguishable over Cook et al. and Patton et al. Chacker is not relied upon to correct for at least the above noted deficiencies of Cook et al. and Patton et al. Therefore, claim 1 is distinguishable over the combination of Cook et al., Patton et al. and Chacker. Then for at least due to their dependency thereon, claims 9 and 10 are also distinguishable over the same combination of references.

Applicant respectfully requests that the rejection of claims 9 and 10 based on Cook et al., Patton et al. and Chacker be withdrawn.

§ 103 REJECTION – COOK, CHACKER

Claims 20-21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cook et al. in view of Chacker. Applicant respectfully traverses.

Claims 20 and 21 depend from independent claim 15 and it is demonstrated above that claim 15 is distinguishable over Cook et al. Chacker is not relied upon to correct for at least the above noted deficiencies of Cook et al. Therefore, independent claims 15 is distinguishable over the combination of Cook et al. and Chacker. Then for at least due to their dependency thereon, claims 20 and 21 are also distinguishable over the same combination of references.

Applicant respectfully requests that the rejection of claims 20 and 21 based on Cook et al. and Chacker be withdrawn.

NEW CLAIMS

Claims 36-50 are added through this Reply. No new matter is added. It is respectfully submitted that the new claims are distinguishable over the cited references, individually or in any combination. Applicant respectfully requests that the new claims be allowed.

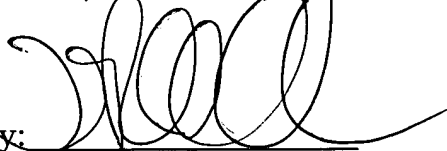
CONCLUSION

All objections and rejections raised in the Final Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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